

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at WINCHESTER

EDNA BRIGHT,

*Plaintiff,*

v.

BEN CANTRELL, *et al.*

*Defendants.*

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Case No. 4:16-cv-53

Judge Mattice

Magistrate Judge Steger

**ORDER**

On May 1, 2017, United States Magistrate Judge Christopher H. Steger filed his Report and Recommendation. (Doc. 5). Magistrate Judge Steger recommended that (1) this action be dismissed without prejudice because the claims asserted are barred the doctrine of *res judicata* and the *Rooker-Feldman* doctrine,<sup>1</sup> and (2) Plaintiff's application to proceed *in forma pauperis* be denied as moot. (*Id.* at 3–4).

Plaintiff has filed no objections to the Magistrate Judge's Report and Recommendation.<sup>2</sup> Nevertheless, the Court has conducted a review of the Report and Recommendation, as well as the record, and it agrees with Magistrate Judge Steger's well-reasoned conclusions.

Accordingly,

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<sup>1</sup> See *Dist. of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983); *Rooker v. Fid. Trust Co.*, 263 U.S. 413 (1923).

<sup>2</sup> Magistrate Judge Steger specifically advised Plaintiff that she had 14 days in which to object to the Report and Recommendation and that failure to do so would waive her right to appeal. (Doc. 5 at 4 n.2); see Fed. R. Civ. P. 72(b)(2); see also *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period in which Plaintiff could timely file any objections has now expired.

- The Court **ACCEPTS** and **ADOPTS** Magistrate Judge Steger's findings of fact, conclusions of law, and recommendations (Doc. 5);
- Plaintiff's Motion for Leave to Proceed *In Forma Pauperis*, (Doc. 4), is hereby **DENIED AS MOOT**; and
- Plaintiff's Complaint, (Doc. 2), is hereby **DISMISSED WITHOUT PREJUDICE**.

**SO ORDERED** this 1st day of June, 2017.

/s/ Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE